

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STANLEY TAYLOR,

Plaintiff,

MEMORANDUM & ORDER

19-CV-4797 (EK) (LB)

-against-

NEW YORK CITY FRESH MARKET and JOHN
DOE, Security Guard,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Lois Bloom's Report and Recommendation (R&R) dated December 23, 2020. ECF No. 20. Judge Bloom recommends that I grant Plaintiff's motion for default in part and deny it in part. Neither party has filed objections and the time to do so has expired.

Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013). Having reviewed the record, the Court finds no clear error. For the reasons stated in Judge Bloom's R&R, along with those set out in *Pierre v. J.C. Penney Co., Inc.*, 340 F. Supp. 2d 308 (E.D.N.Y. 2004), I adopt the R&R in its entirety pursuant to 28 U.S.C. § 636(b)(1). Therefore, Plaintiff's motion for default judgment is granted as to

liability on his 42 U.S.C. § 1981, false-imprisonment, and New York City Human Rights Law claims, but denied on his intentional-infliction-of-emotional-distress claim. I also deny Plaintiff's request for damages at this stage. The case is referred to Magistrate Judge Bloom for further proceedings to determine and recommend the amount of damages.

SO ORDERED.

/s Eric Komitee

ERIC KOMITEE

United States District Judge

Dated: July 13, 2021
Brooklyn, New York